Single Bench (4)

P.R. No. 4422/06
Presented by Shri Arun Atwani
dated 14/8/06

(1-A)

CF: 100

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S)NO. 4378 /2006

PETITIONER

R.K. Sharma, S/o. Late Shri Harish Chandra Sharma, aged about 53 years, R/o. Office of Superintendent Engineer, Pradhan Mantri Gram Sadak Yojna Mandal, Pariyojna Mandal, Kanker District Kanker (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through Secretary, Water Resources Department, D.K.S. Bhavan, Mantralaya, Raipur (C.G.)
2. Engineer in Chief, Water Resources Department, Raipur, District Raipur (C.G.)
3. Sub Divisional Officer, Water Resources Department, Sub Division, Raigarh, District Raigarh
4. Secretary, Panchayat and Gramin Vikas Vibhag, D.K.S. Bhavan, Raipur, District Raipur (C.G.)
5. Joint Secretary, Panchayat and Gramin Vikas Vibhag, D.K.S. Bhavan, Raipur, District Raipur (C.G.)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER

(43)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WPNo.437/8 **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

18-8-2006

Mr. Sunil Otwani, counsel for the petitioner.

Mrs. Anju Ahuja, Deputy Govt. Advocate for the State/respondents, on advance copy.

Heard.

The petitioner's case is that he was working as Sub Engineer in the Water Resources Department and vide order dated 12-6-2006 (Annexure P-1) he was sent on deputation to the Department of Panchayat & Rural Development. In compliance of that order, the petitioner joined in the Department of Panchayat & Rural Development. Later on, other Engineers of the Water Resources Department had challenged the said order dated 12-6-2006 and the same has been quashed by this Court. Thereafter, the petitioner made a representation to the Department of Panchayat & Rural Development stating therein that he does not want to continue in the Department of Panchayat & Rural Development, but his representation is not being decided.

Having heard learned counsel for the parties and having perused the petition, the petitioner has already joined in the Department of Panchayat & Rural Development in pursuance of the order dated 12-6-2006 and thereafter, that order has been quashed qua the petitioners who filed the petitions. That order was quashed on the submission made by the Deputy Advocate General on behalf of the State that the State has framed a new scheme for sending the Engineers of Water Resources Department under the Pradhan Mantri Gram Sadak Yojana (PMGSY) scheme.

Therefore, in the circumstances, as the petitioner has already joined in the Department of Panchayat & Rural Development, the respondents while passing the order regarding PMGSY scheme in respect of the Engineers of

P.T.O.

XI-HC-78

(44)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 9 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	Water Resources Department should also consider the case of the petitioner, as the petitioner belongs to Water Resources Department, therefore, they should pass appropriate order along with the other Engineers in respect of the services of the petitioner. Till then, the petitioner shall continue in the Department of Panchayat & Rural Development on the post where he has already joined. With the direction aforesaid, the petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	